

#### REMARKS

With respect to paragraph 1 on Page 2 of the Office Action, it is regretted that the two patents referred to in the Specification were not part of an IDS filed prior to this Office Action. However, the Examiner will now recognize them as part of the IDS filed on or about 23 January 2003.

With respect to the Abstract, an Abstract is set forth on Page 1 of the PCT Application as published. However, a further Abstract is enclosed herewith.

With respect to the "stopping means", the PCT Application and the U.S. National Application as filed clearly include stopping means. Numerals have been added to the drawings in order to clarify and further illustrate one embodiment the stopping means, and Page 11 of the Specification has been amended to refer thereto.

The drawings have also been amended to include numeral "A" as being the end portion of conduit 9, and the confused numerals 13 and 7 have been corrected.

An enlarged FIG. 2A has been added in order to more expressly illustrate the holes in the needle as described in the Specification. It must be remembered that the U.S.

requirement for the disclosure is that to enable a person "skilled in the art" to understand and practice the invention after the Patent has expired. It is believed that the Examiner will readily agree that anyone in the injection needle art who does not understand the recitation of holes in the tip and along the shaft of the needle would not be a person skilled in the needle art.

With respect to the Arrangement of the Specification, if this Application had been prepared by the undersigned Counsel with respect to a U.S. invention, it certainly would have been prepared in accordance with 37 CFR 1.77(b). However, the subject Application is a PCT Application, prepared in the United Kingdom, under the Rules and Regulations of the Patent Cooperation Treaty. It meets all requirements of the PCT, and therefore, must be accepted as in full compliance with our Law under the Treaty.

Turning now to the rejection of the previous claims on the patent of Wyrick, re-study of this patent is respectfully requested. It is appreciated that the Examiner has kindly underlined portions at the top of Column 6 of this patent. However, these lines do not teach or suggest an injection system, as claimed, wherein the "needle" is spaced from the "driver" so as to be impacted only after the driver has

? what is the driver "block" if so they are separate

attained a high degree of velocity. Rather, as stated in Column 4, lines 24 - 27 of Wyrick, it is clear that "plunger shaft 30" is integral with "stem 32". (Please see FIGS. 2 - 3 and 6 - 7 wherein elements 46 and 34 are always shown as in engagement, which is because they are one, integral element.)

*not claimed*  
These elements are never separated so as to constitute any form of a driver impacting a needle after the driver has attained high velocity.


Each of the claims now submitted make it unmistakably clear that Applicant's drive assembly and needle assembly are separate elements, and that the needle is accelerated only after an impact; i.e., only after the driver assembly has attained a high velocity. This makes the injection substantially faster than known systems, which causes less pain and bruising.

New Claims 52 to 59 have been drafted in order to further highlight this very important difference from all known prior art; i.e., it has never been recognized or done before. This is clearly not obvious.

The new claims have been carefully drafted under U.S. Practice and Rules so as to avoid all allegations of indefiniteness. Accordingly, Claims 52 to 59 are sincerely

believed to be allowable and such action is earnestly requested.

Respectfully submitted,

  
Ronald B. Sherer  
Counsel for Applicant  
Registration No. 19,977

Bartlett & Sherer  
103 South Shaffer Drive  
New Freedom, PA 17349  
Telephone: 717-227-1197  
Fax: 717-227-9008